

Appointment

From: Goffman, Joseph [Goffman.Joseph@epa.gov]
Sent: 4/27/2021 4:24:04 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]; Hengst, Benjamin [Hengst.Benjamin@epa.gov]; Dunham, Sarah [Dunham.Sarah@epa.gov]; Charmley, William [charmley.william@epa.gov]; Alexander Dominguez [DominguezA@api.org]
CC: Bunker, Byron [bunker.byron@epa.gov]
Subject: Meeting with API re: RFS
Attachments: API Meeting Reuquest - Joe Goffman External Meeting Request Form 04.26.21.docx; API Meeting Reuquest - Joe Goffman External Meeting Request Form 04.26.21.docx
Location: Microsoft Teams Meeting
Start: 5/10/2021 5:30:00 PM
End: 5/10/2021 6:00:00 PM
Show Time As: Tentative

Required Attendees: Alejandra Nunez (Nunez.Alejandra@epa.gov); Benjamin Hengst; Dunham, Sarah (Dunham.Sarah@epa.gov); William Charmley (charmley.william@epa.gov); Alexander Dominguez
Optional Attendees: Byron Bunker



API Meeting
Reuquest - Joe G...

Microsoft Teams meeting

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[SEQ CHAPTER \h \r 1]External Meeting Request Form for Joe Goffman

Today's Date: **Monday, April 26th**

Requesting Organization: **American Petroleum Institute (API)**

Title of the Meeting: **Renewable Fuel Standard and Mobile Source Priorities**

Purpose: **To discuss the Renewable Fuel Standard's upcoming Renewable Volume Obligation rulemaking as well as other mobile source priorities.**

Background: **API would like to discuss the upcoming RVO and light-duty greenhouse gas emissions standards.**

Earliest possible date for the meeting: **Friday, April 30th**

Last possible date for the meeting: **Mid-May**

Is the meeting urgent and if so, why? **If possible, we would like to discuss the RVO prior to the NPRM being sent to OMB for interagency review.**

Requested Time Length: **Ideally 45 minutes but understand if only 30 minutes is possible.**

Invitees: **Acting Assistant Administrator Joe Goffman and Deputy Assistant Administrator for Mobile Sources Alejandra Nunez.**

External Participants: **Combination of API Downstream Member Companies and API Staff – full list can be provided once we have a date.**

Teleconference Required?

Video Conference Required? **Yes – Microsoft Teams**

Point of Contact for the Meeting: **Alex Dominguez
Director of Federal Relations
American Petroleum Institute
domingueza@api.org**

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CC: Bunker, Byron [Bunker.Byron@epa.gov]; Anderson, Robert (Bob.Anderson) [Bob.Anderson@chevron.com]; Larrabee, Jason [jasonlarrabee@chevron.com]; Kristin.Whitman@shell.com
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Optional Attendees: Byron Bunker; Anderson, Robert (Bob.Anderson); Larrabee, Jason; Kristin.Whitman@shell.com



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From: Rakosnik, Delaney [rakosnik.delaney@epa.gov]
Sent: 4/29/2021 5:28:24 PM
To: Nunez, Alejandra [Nunez.Alejandra@epa.gov]; Hengst, Benjamin [Hengst.Benjamin@epa.gov]; Dunham, Sarah [Dunham.Sarah@epa.gov]; Charmley, William [charmley.william@epa.gov]; Alexander Dominguez [DominguezA@api.org]
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Optional Attendees: Byron Bunker; Anderson, Robert (Bob.Anderson)



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Appointment

From: Goffman, Joseph [Goffman.Joseph@epa.gov]
Sent: 5/11/2021 2:13:46 AM
To: Charmley, William [charmley.william@epa.gov]; Application ab5d1521-415b-4380-82e4-af803fb8bf2d; Application 556b15e7-452c-4773-b728-6313eaa47b77; Hengst, Benjamin [Hengst.Benjamin@epa.gov]; teamsvisitor:f478e85ae26f4f708ed217a73419eeb0; Larrabee, Jason [jasonlarrabee@chevron.com]; Birsic, Michael J. [mjbirsic@marathonpetroleum.com]; Guerard, Richard B [Richard.B.Guerard@p66.com]; Alexander Dominguez [DominguezA@api.org]; Anderson, Robert (Bob.Anderson) [bob.anderson@chevron.com]; Patrick Kelly [kellyp@api.org]; Draper, Jennifer [Jennifer.Draper@Motiva.Com]; Dunham, Sarah [Dunham.Sarah@epa.gov]; Bunker, Byron [bunker.byron@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]; +12022535349; Application 9e133cac-5238-4d1e-aaa0-d8ff4ca23f4e; Whitman, Kristin P SHLOIL-GRA [Kristin.Whitman@shell.com]; Goffman, Joseph [Goffman.Joseph@epa.gov]

Subject: Meeting (ScheduledMeeting)/Thread Id:
Ex. 6 Personal Privacy (PP) Communication Id:
Ex. 6 Personal Privacy (PP) Charmley, William,Hengst,
Benjamin,teamsvisitor:f478e85ae26f4f708ed217a73419eeb0,Larrabee...

Start: 5/10/2021 5:30:18 PM
End: 5/10/2021 6:02:20 PM
Show Time As: Busy

Recurrence: (none)

Required Attendees: Charmley, William; Application ab5d1521-415b-4380-82e4-af803fb8bf2d; Application 556b15e7-452c-4773-b728-6313eaa47b77; Hengst, Benjamin; teamsvisitor:f478e85ae26f4f708ed217a73419eeb0; Larrabee, Jason; Birsic, Michael J.; Guerard, Richard B; Alexander Dominguez; Anderson, Robert (Bob.Anderson); Patrick Kelly; Draper, Jennifer; Dunham, Sarah; Bunker, Byron; Kim, Eunjung; Nunez, Alejandra; +12022535349; Application 9e133cac-5238-4d1e-aaa0-d8ff4ca23f4e; Whitman, Kristin P SHLOIL-GRA; Goffman, Joseph

Start Time (UTC): 5/10/2021 5:30:18 PM
End Time (UTC): 5/10/2021 6:02:20 PM
Duration: 00:32:02.4345933

[5/10/2021 5:30:25 PM (UTC)] charmley.william@epa.gov joined.
[5/10/2021 6:00:08 PM (UTC)] charmley.william@epa.gov left.
[5/10/2021 5:35:02 PM (UTC)] Application ab5d1521-415b-4380-82e4-af803fb8bf2d joined.
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[5/10/2021 6:02:19 PM (UTC)] Application 556b15e7-452c-4773-b728-6313eaa47b77 left.
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[5/10/2021 6:02:20 PM (UTC)] Application 556b15e7-452c-4773-b728-6313eaa47b77 left.
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[5/10/2021 5:30:43 PM (UTC)] Hengst.Benjamin@epa.gov joined.
[5/10/2021 6:00:06 PM (UTC)] Hengst.Benjamin@epa.gov left.
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[5/10/2021 6:00:07 PM (UTC)] teamsvisitor:f478e85ae26f4f708ed217a73419eeb0 left.
[5/10/2021 5:30:56 PM (UTC)] jasonlarrabee@chevron.com joined.
[5/10/2021 6:00:06 PM (UTC)] jasonlarrabee@chevron.com left.
[5/10/2021 5:30:57 PM (UTC)] mjbirsic@marathonpetroleum.com joined.
[5/10/2021 6:00:02 PM (UTC)] mjbirsic@marathonpetroleum.com left.
[5/10/2021 5:30:57 PM (UTC)] Richard.B.Guerard@p66.com joined.
[5/10/2021 6:00:04 PM (UTC)] Richard.B.Guerard@p66.com left.
[5/10/2021 5:30:56 PM (UTC)] DominguezA@api.org joined.
[5/10/2021 6:00:14 PM (UTC)] DominguezA@api.org left.
[5/10/2021 5:30:56 PM (UTC)] Bob.Anderson@chevron.com joined.
[5/10/2021 6:00:09 PM (UTC)] Bob.Anderson@chevron.com left.
[5/10/2021 5:30:57 PM (UTC)] kellyp@api.org joined.
[5/10/2021 6:00:07 PM (UTC)] kellyp@api.org left.
[5/10/2021 5:30:57 PM (UTC)] Jennifer.Draper@Motiva.Com joined.
[5/10/2021 6:00:07 PM (UTC)] Jennifer.Draper@Motiva.Com left.
[5/10/2021 5:35:28 PM (UTC)] Dunham.Sarah@epa.gov joined.
[5/10/2021 5:54:32 PM (UTC)] Dunham.Sarah@epa.gov left.

[5/10/2021 5:30:22 PM (UTC)] bunker.byron@epa.gov joined.
[5/10/2021 6:00:10 PM (UTC)] bunker.byron@epa.gov left.
[5/10/2021 5:30:51 PM (UTC)] Kim.Eun@epa.gov joined.
[5/10/2021 6:00:03 PM (UTC)] Kim.Eun@epa.gov left.
[5/10/2021 5:30:18 PM (UTC)] Nunez.Alejandra@epa.gov joined.
[5/10/2021 6:00:08 PM (UTC)] Nunez.Alejandra@epa.gov left.
[5/10/2021 5:31:01 PM (UTC)] +12022535349 joined.
[5/10/2021 6:02:18 PM (UTC)] +12022535349 left.
[5/10/2021 5:30:58 PM (UTC)] Application 9e133cac-5238-4d1e-aaa0-d8ff4ca23f4e joined.
[5/10/2021 6:02:20 PM (UTC)] Application 9e133cac-5238-4d1e-aaa0-d8ff4ca23f4e left.
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[5/10/2021 6:02:19 PM (UTC)] Application 9e133cac-5238-4d1e-aaa0-d8ff4ca23f4e left.
[5/10/2021 5:31:00 PM (UTC)] Application 9e133cac-5238-4d1e-aaa0-d8ff4ca23f4e joined.
[5/10/2021 6:02:19 PM (UTC)] Application 9e133cac-5238-4d1e-aaa0-d8ff4ca23f4e left.
[5/10/2021 5:31:55 PM (UTC)] Kristin.Whitman@shell.com joined.
[5/10/2021 6:00:06 PM (UTC)] Kristin.Whitman@shell.com left.
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Optional Attendees: Byron Bunker



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Message

From: Ron Chittim [Chittim@api.org]
Sent: 6/17/2021 8:39:03 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]; Dunham, Sarah [Dunham.Sarah@epa.gov]
CC: Alexander Dominguez [DominguezA@api.org]; Ron Chittim [Chittim@api.org]
Subject: API Letter on EPA RFS Renewable Volume Standards - NPRM
Attachments: API Letter to EPA - 2021 - 2022 RVO NPRM (6-21).pdf

Mr. Goffman:

As a follow-up to the API – EPA discussion on May 10th, attached are additional thoughts on the upcoming NPRM regarding the RFS Volume Standards for 2021 and 2022. Please contact me if you or your team have any questions on this input. Thank you.

Ron Chittim

Vice President – Downstream Policy

o: 202.682.8176
e: chittim@api.org

200 Massachusetts Ave NW
Washington, DC 20001

www.api.org



American
Petroleum
Institute



American
Petroleum
Institute

Ron Chittim
Vice President
API Downstream Policy
202-682-8167
chittim@api.org

June 17, 2021

Mr. Joseph Goffman
Acting Assistant Administrator, Office of Air and Radiation
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Mr. Goffman:

We are writing to provide additional comments regarding the RFS Volume Standards for 2021 and 2022. We briefly discussed these topics during a conference call with you and your staff on May 10, 2021. We understand that EPA is working on a Notice of Proposed Rulemaking (NPRM) for the RFS which may be released in the near future. We are highlighting several of the key issues that are of concern regarding this NPRM.

The statutory volumes for 2021 and 2022 are unachievable, and EPA must reduce the RFS volumes in 2021 and 2022 to feasible levels. We hope EPA will utilize the cellulosic biofuel waiver authority under 211(o)(7)(D) as a first step to reduce statutory volumes. However, the cellulosic waiver authority by itself is insufficient to reach a feasible set of volume standards in 2021. In 2022, the problem is compounded because the statutory volume of advanced biofuel increases by an additional 500 million gallons, further reducing the effectiveness of the cellulosic biofuel waiver.

In addition to using the cellulosic biofuel waiver, EPA needs to use its general waiver authority under 211(o)(7)(A), or its RFS reset authority under 211(o)(7)(F). We believe that a combination of these waiver provisions will be necessary in both 2021 and 2022 to keep compliance volumes feasible, avoid potential increased costs to the consumer, and maintain program stability by not exceeding the ethanol blendwall.

There have been recent press articles stating that EPA may keep the renewable fuel volumes for 2021 roughly constant with the volume standards that were finalized for 2020. However, keeping the volumes at the 2020 level would result in an infeasible set of standards in 2021. The 2020 volumes included a volume increase, known as "reallocation", to compensate for future small refinery exemptions that were expected to return a significant quantity of RINs to the market. Instead, the small refinery exemptions have not been and appear unlikely to be granted. The reallocation of RINs in 2020 has exacerbated the problem of infeasible volume standards. Therefore, the 2020 volumes should not be considered as a viable scenario for the 2021 RFS. Further reductions are necessary.

If the 2021 volume standards are not reduced to a feasible level, there is a significant risk that the carryover RIN balance will be depleted. Our modeling shows that the carryover RIN balance is declining and will be exhausted by the end of 2021. EPA has consistently recognized in previous rulemakings that a sufficient balance of carryover RINs is necessary to ensure a properly functioning RIN market. In the RFS Final Rule for 2019, dated December 18, 2018, EPA stated:

"An adequate RIN bank serves to make the RIN market liquid" and "drawdown of the carryover RIN bank leading to a scarcity of RINs may stop the market from functioning in an efficient manner."



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Ron Chittim
Vice President
API Downstream Policy
202-682-8167
chittim@api.org

The drawdown of carryover RINs should not be considered as a viable mechanism to justify infeasible volume standards. Once the carryover RIN balance is fully liquidated, it cannot be easily restored. Depleting the RIN bank should be avoided as it will increase RIN market volatility, potentially increase consumer costs, and jeopardize the ability for obligated parties to comply with the RFS.

The objectives of setting feasible RFS volume standards and maintaining a workable carryover RIN balance are significant challenges for EPA in 2021 and 2022. Against this backdrop, there are additional policy issues that EPA should not include in the 2021 and 2022 program.

Specifically, EPA should not consider increasing the volume standards in response to the 2016 RFS court remand decision. Also, EPA should not include a “reallocation” increase for small refinery exemptions as it did in 2020. Finally, EPA should not consider increasing volume standards to recover any RINs from previous small refinery exemptions that may be invalidated based on pending court decisions. Any of these individual actions would place additional pressure on the overburdened RFS.

In conclusion, EPA should take prudent action to ensure the RFS remains viable. A stable, functioning RFS is critical to meet the current objectives of the program in 2021 and 2022. Maintaining program stability is also important as EPA prepares to define future RFS standards starting in 2023, which could significantly increase the program’s effectiveness on reducing GHG emissions from transportation.

Thank you for your consideration of the issues we have raised in this letter. API is committed to working with EPA to chart a feasible course for the RFS, both in the current years and in the future. Please contact me with any questions.

Respectfully,

cc: Sarah Dunham, Director, Office of Transportation and Air Quality

Message

From: Hengst, Benjamin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C414E2BF04A246BB987D88498EEFF06-HENGST, BENJAMIN]
Sent: 4/7/2021 6:06:45 PM
To: Alexander Dominguez [DominguezA@api.org]
Subject: RE: API's Climate Action Framework

Yes, we are on!

From: Alexander Dominguez <DominguezA@api.org>
Sent: Wednesday, April 7, 2021 1:29 PM
To: Hengst, Benjamin <Hengst.Benjamin@epa.gov>
Subject: RE: API's Climate Action Framework

Circling back to see if you are still available tomorrow or need to reschedule. If yes, happy to meet you wherever is most convenient. Not a problem if need to raincheck I know these are busy times.

From: Alexander Dominguez
Sent: Monday, March 29, 2021 12:39 PM
To: Hengst, Benjamin <Hengst.Benjamin@epa.gov>
Subject: RE: API's Climate Action Framework

Glad you are Ex. 6 Personal Privacy (PP) and Thursday, April 8th at 4:00 works great.

From: Hengst, Benjamin <Hengst.Benjamin@epa.gov>
Sent: Friday, March 26, 2021 11:09 AM
To: Alexander Dominguez <DominguezA@api.org>
Subject: RE: API's Climate Action Framework

Ex. 6 Personal Privacy (PP)

How about April 8 at 4pm?

From: Alexander Dominguez <DominguezA@api.org>
Sent: Friday, March 26, 2021 10:22 AM
To: Hengst, Benjamin <Hengst.Benjamin@epa.gov>
Subject: RE: API's Climate Action Framework

Could you do a Wednesday or Thursday next week or the following?

From: Hengst, Benjamin <Hengst.Benjamin@epa.gov>
Sent: Thursday, March 25, 2021 2:54 PM
To: Alexander Dominguez <DominguezA@api.org>
Subject: RE: API's Climate Action Framework

Is this....really...Alex...Dominguez?

Good to hear from you, Alex! Thanks for sending the announcement. Yes, let's catch-up soon, ideally in person/socially distanced of course.

From: Alexander Dominguez <DominguezA@api.org>

Sent: Thursday, March 25, 2021 1:25 PM

To: Hengst, Benjamin <Hengst.Benjamin@epa.gov>

Subject: FW: API's Climate Action Framework

Ben -

Hope all is well and I apologize for not reaching out to you sooner my first few months on the job have been a bit hectic to say the least – see below for further explanation! I also wanted to give you some time out of respect – the revolving door need not swing too fast and I know you and the team have been incredibly hard at work. I heard some of my colleagues were in to meet with you all yesterday and trust it was a productive meeting. While I was invited to attend, I thought best not to crash the party before reaching out to you first. If you have time in the coming weeks, it would be great to catch-up. Additionally, I would be remiss if I didn't share with you news of today's announcement. Please send my regards to everyone and hope to talk soon.

Best,
Alex

Alex Dominguez

Director – Federal Affairs

o: 202.682.8214

m: 740.503.2662

e: domingueza@api.org

www.api.org



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All-

Today, the American Petroleum Institute (API) unveiled a policy framework for meeting the world's long-term energy needs, while reducing greenhouse gas emissions at scale.

API is focused on advancing a five-solution framework for climate action, including:

- 1) **Accelerate Technology and Innovation** *to reduce emissions while meeting growing energy needs.*
- 2) **Further Mitigate Emissions from Operations** *to speed additional environmental progress.*
- 3) **Endorse a Carbon Price Policy** *to drive economy-wide, market-based solutions.*
- 4) **Advance Cleaner Fuels** *to power lower-carbon choices for consumers.*
- 5) **Drive Climate Reporting** *to provide consistency and transparency.*

For additional details, you can view the full framework [here](#), as well as a one-page summary document [here](#).

If you would like to discuss, I would welcome the opportunity to talk with you further.

Best,
Alex

Alex Dominguez

Director – Federal Affairs

o: 202.682.8214
m: 740.503.2662
e: dominguez@api.org

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CC: Bunker, Byron [Bunker.Byron@epa.gov]
Subject: Meeting with API re: RFS
Attachments: API Meeting Reuquest - Joe Goffman External Meeting Request Form 04.26.21.docx; API Meeting Reuquest - Joe Goffman External Meeting Request Form 04.26.21.docx
Location: Microsoft Teams Meeting
Start: 5/10/2021 5:30:00 PM
End: 5/10/2021 6:00:00 PM
Show Time As: Busy

Required Attendees: Anderson, Robert (Bob.Anderson); Larrabee, Jason; Kristin.Whitman@shell.com; Alejandra Nunez (Nunez.Alejandra@epa.gov); Benjamin Hengst; Dunham, Sarah (Dunham.Sarah@epa.gov); William Charmley (charmley.william@epa.gov); Alexander Dominguez; Kim, Eunjung; kellyp@api.org; mjbirsic@marathonpetroleum.com; jennifer.draper@motiva.com; richard.b.guerard@p66.com; mariana.e.diez@exxonmobil.com
Optional Attendees: Byron Bunker



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CC: Bunker, Byron [bunker.byron@epa.gov]

Subject: Meeting with API re: RFS

Attachments: API Meeting Reuquest - Joe Goffman External Meeting Request Form 04.26.21.docx; API Meeting Reuquest - Joe Goffman External Meeting Request Form 04.26.21.docx

Location: Microsoft Teams Meeting

Start: 5/10/2021 5:30:00 PM

End: 5/10/2021 6:00:00 PM

Show Time As: Busy

Required Attendees: Alejandra Nunez (Nunez.Alejandra@epa.gov); Benjamin Hengst; Dunham, Sarah (Dunham.Sarah@epa.gov); William Charmley (charmley.william@epa.gov); Alexander Dominguez
Optional Attendees: Byron Bunker



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Optional Attendees: Byron Bunker; Anderson, Robert (Bob.Anderson); Larrabee, Jason; Kristin.Whitman@shell.com



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Show Time As: Busy

Required Attendees: Goffman, Joseph; Alejandra Nunez (Nunez.Alejandra@epa.gov); Benjamin Hengst; Dunham, Sarah (Dunham.Sarah@epa.gov); William Charmley (charmley.william@epa.gov); Alexander Dominguez; Kim, Eun
Optional Attendees: Byron Bunker; Anderson, Robert (Bob.Anderson)



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Optional Attendees: Byron Bunker



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Location: Microsoft Teams Meeting
Start: 5/10/2021 5:30:00 PM
End: 5/10/2021 6:00:00 PM
Show Time As: Tentative

Required Attendees: Alejandra Nunez (Nunez.Alejandra@epa.gov); Benjamin Hengst; Dunham, Sarah (Dunham.Sarah@epa.gov); William Charmley (charmley.william@epa.gov); Alexander Dominguez
Optional Attendees: Byron Bunker



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From: Rakosnik, Delaney [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=274573739A9F446883072599086EDED-RAKOSNIK, D]
Sent: 4/27/2021 4:24:01 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]; Anderson, Robert (Bob.Anderson) [Bob.Anderson@chevron.com]; Larrabee, Jason [jasonlarrabee@chevron.com]; Kristin.Whitman@shell.com; Alejandra Nunez (Nunez.Alejandra@epa.gov) [Nunez.Alejandra@epa.gov]; Benjamin Hengst [Hengst.Benjamin@epa.gov]; Dunham, Sarah (Dunham.Sarah@epa.gov) [Dunham.Sarah@epa.gov]; William Charmley (charmley.william@epa.gov) [charmley.william@epa.gov]; Alexander Dominguez [DominguezA@api.org]; Kim, Eunjung [Kim.Eun@epa.gov]; kellyp@api.org; mjbirsic@marathonpetroleum.com; jennifer.draper@motiva.com; richard.b.guerard@p66.com; mariana.e.diez@exxonmobil.com
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